

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

CLIFFORD RAYMOND SALAS,

Petitioner,

v.

No. 2:22-cv-0681 RB/GJF

No. 2:12-cr-3183 RB/GJF-3

UNITED STATES OF AMERICA,

Respondent.

ORDER


THIS MATTER is before the Court on United States Magistrate Judge Gregory J. Fouratt's Proposed Findings and Recommended Disposition (PFRD) filed February 28, 2024. (Doc. 17.) Judge Fouratt examined Petitioner Clifford Raymond Salas's Motion under 28 U.S.C. § 2255 (Doc. 1) and the United States' Response (Doc. 16) and found that Salas fails to meet his burden to establish that his "sentence was imposed in violation of the Constitution or laws of the United States." (*See* Doc. 17 at 6, 8.) Specifically, Salas brings one claim of ineffective assistance of counsel. (*See id.* at 7.) Judge Fouratt found that Salas fails to demonstrate either prong of the test under *Strickland v. Washington*, 466 U.S. 668, 685–86 (1984). (*See* Doc. 17 at 7–8.) Judge Fouratt recommends that Salas's motion be denied and the lawsuit dismissed with prejudice. (*Id.* at 8.)

The PFRD notified the parties of their ability to file objections no later than 14 days after the PFRD was filed. (*Id.* at 9.) Three weeks have passed, and no party has filed objections. As no party filed objections within the time allowed, the Court concludes that appellate review has been waived.

IT IS THEREFORE ORDERED that the PFRD is **ADOPTED**.

IT IS FURTHER ORDERED that Salas's Motion to Vacate under 28 U.S.C. § 2255 (Doc. 1) is **DENIED** and this case is **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.



ROBERT C. BRACK
SENIOR U.S. DISTRICT JUDGE